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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.2222 OF 2004
IN
WRIT PETITION NO.6604 OF 2003
ALONG WITH
CIVIL APPLICATION NO.2223 OF 2004
IN
WRIT PETITION NO.5765 OF 2003

M/s.Thakur's)..Applicant

Versus

The Pratap Co-op. Bank Ltd. and others)..Respondents

Mr.Mihir Desai for the Applicant.

Mr.S.S. Shah for Respondent Nos.1 and 2.

CORAM : SMT. NISHITA MHATRE, J.
DATED : 3RD MARCH 2006

P.C.:

. By these Civil Applications, the Applicant seeks restoration of the Writ Petitions which were dismissed by a self operating order. The Applicant was directed by the order dated 16th April 2004 to deposit an amount of Rs.4,25,000/- in both the Petitions together, by a particular date, failing which the Petitions were to stand dismissed for want of prosecution.

2. By a further order dated 24th May 2004, the time to deposit the amount was extended upto 2nd August 2004. The Applicant states that Rs.2,00,000/- has already been deposited by the Applicant in this Court. Two cheques of Rs.1,00,000/- each were also deposited in this Court, but the same were not encashed. Rs.25,000/-, in any

event, remained to be deposited.

3. Although, thees Applications are vehemently opposed by the Respondents, I am of the view that the following order will meet the ends of justice :-

(i) The Applicant shall deposit an amount of Rs.3,00,000/- (Rupees Three lakhs) within one week from today by a Bank Draft.

(ii) If the amount is so deposited, the Writ Petitions shall stand restored to file and will be placed for admission thereafter.

(iii) In the event the aforesaid amount is not deposited by the Applicant within the stipulated period, the Writ Petitions in any case have been dismissed and the same will not be restored to file.

(iv) It is made clear that the aforesaid amount will be deposited in both the Petitions together.

4. Civil Applications disposed of accordingly.